

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JULIO PEREZ,

Plaintiff,

v.

DOCCS COMMISSIONER ANTHONY  
ANNUCCI, GHCF SUPERINTENDENT  
GRIFFIN, GHCF MEDICAL SUPERVISOR  
DR. BENTIVEGNA, GHCF MEDICAL  
PROVIDER DR. SILVER, and DR. HOLDER,  
Defendants.

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
DOCUMENT  
ELECTRONICALLY FILED  
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ORDER

20 CV 8069 (VB)

Copies Mailed Faxed  
Chambers of Vincent L. Briccetti

In an Opinion and Order dated November 29, 2021, the Court granted defendants' motion to dismiss the complaint, pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim upon which relief can be granted. The Court also granted plaintiff leave to file an amended complaint as to one of the defendants, Dr. Holder, only, **by January 31, 2022**, in accordance with the instructions set forth in the Opinion and Order. (Doc. #27). In doing so, the Court advised plaintiff in bold and underlined font that if he failed to file an amended complaint or seek additional time to do so by January 31, 2022, the Court would direct the Clerk to enter judgment in defendants' favor and close the case.

To date, plaintiff has not filed an amended complaint or sought an extension of time in which to do so.

Accordingly, the Court directs the Clerk to enter judgment in defendants' favor and close this case.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

Chambers will mail a copy of this Order to plaintiff at the address listed on the docket.

Dated: February 23, 2022  
White Plains, NY

SO ORDERED:



Vincent L. Briccetti  
United States District Judge